

IN THE SUPREME COURT OF THE STATE OF DELAWARE

BRUCE I. WRIGHT,	§
	§
Defendant Below-	§ No. 496, 2008
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ Cr. ID 0007020610
Plaintiff Below-	§
Appellee.	§

Submitted: December 10, 2008

Decided: February 6, 2009

Before **HOLLAND, BERGER, and JACOBS**, Justices.

ORDER

This 6th day of February 2009, it appears to the Court that:

(1) The appellant, Bruce Wright, filed this appeal from a decision of the Superior Court, dated August 27, 2008, which denied Wright's request for transcripts of the grand jury proceedings that ultimately led to his 2002 criminal conviction on charges of second degree murder and weapon offenses.¹ The State filed a motion to dismiss Wright's appeal as interlocutory and, alternatively, filed a motion to affirm the judgment below on the ground that it is manifest on the face of Wright's opening brief that his appeal is without merit.

¹ See *Wright v. State*, 818 A.2d 950 (Del. 2003).

(2) Under the Delaware Constitution, this Court may only review a final judgment in a criminal case.² The Superior Court's denial of Wright's request for transcripts of the grand jury proceedings, which he sought presumably to pursue a postconviction remedy, is clearly an unappealable interlocutory ruling.³ As a result, this Court does not have jurisdiction to review this appeal.⁴

NOW, THEREFORE, IT IS ORDERED that the appeal is hereby DISMISSED. The motion to affirm is moot.

BY THE COURT:

/s/ Carolyn Berger
Justice

² Del. Const. art. IV, § 11(1)(b).

³ See *Robinson v. State*, 704 A.2d 269, 271 (Del. 1998); *Browne v. State*, 1992 WL 21146 (Del. Jan. 21, 1992).

⁴ See *Gottlieb v. State*, 697 A.2d 400 (Del. 1997).